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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 Gary Lipsey,

8 Petitioner,

9 v.

10 Jeffrey A Uttecht,

11 Respondent.

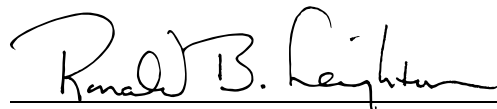
No. 3:19-cv-05547-RBL-DWC

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

12 The Court, having reviewed the Report and Recommendation of Magistrate Judge David
13 W. Christel, objections to the Report and Recommendation, if any, and the remaining record,
14 does hereby find and ORDER:

- 15 (1) The Court adopts the Report and Recommendation.
16 (2) Petitioner's federal habeas Petition is dismissed without prejudice. All other
17 pending motions (Dkts. 11, 12, 14, 18) are denied as moot without prejudice.
18 (3) A certificate of appealability is denied in this case.
19 (4) The Clerk is directed to send copies of this Order to Petitioner, counsel for
20 Respondent, and to the Hon. David W. Christel.

21 **DATED** this 17th day of October, 2019.
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25 Ronald B. Leighton
26 United States District Judge